

See what people are saying about the Ombudsman...

"Thank you for helping facilitate a situation that felt challenging and hopeless to me. Your patience, calm demeanor, and professional explanations were reassuring."

- Constituent

"I think the involvement of the Ombudsman's office led to a better process."

- MnDOT District Personnel

"Their office was very helpful"

- Constituent

"I think with this office constituents have someone in MnDOT who listens to their concerns and thinks 'outside the box' on how to resolve thorny problems with the department."

- MN House of Representatives

The Ombudsman WILL...

- ◆ Listen to all parties
- ◆ Ask questions to clarify the issue; determine who has been involved and what action has been taken
- ◆ Seek to understand what the parties want to see happen
- ◆ Work with the constituent and department experts to generate options for resolution
- ◆ Help all parties weigh the pros and cons of the options
- ◆ Follow up on the final option selected

The Ombudsman WILL NOT...

- ◆ Advocate for one party or point of view
- ◆ Replace formal processes
- ◆ Provide legal advice or opinions
- ◆ Act as the final decision maker; MnDOT leadership makes final decisions

A Message from the Transportation Ombudsman

On behalf of the Ombudsman's office, it is my pleasure to submit our 2015 Annual Report for your review. This report illustrates how our office brings value to the Department of Transportation and the citizens of Minnesota.

The MnDOT Ombudsman function was initially created in the fall of 2008 and placed into law during the 2013 legislative session. As neutral, independent and informal conflict resolution practitioners, the members of this office strive each day to be a resource to the traveling public, MnDOT staff, the State Legislature and the Commissioner.

I would like to thank our MnDOT peers across the state for their collaboration and continued partnership in helping us develop solutions and resolve disputes in a timely manner. We will continue to ensure that all parties are heard and their interests are considered while we work toward a final resolution.

Please contact the Ombudsman's office at any time with questions or comments. We welcome the opportunity to discuss our program and the services we offer.

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The Evolution of the Ombudsman

In 2015, the Ombudsman's office went through a strategic planning process that reviewed the office's place in the Department as a "conflict resolution" function. As a result of this process, the Ombudsman's office has purposefully shifted to both support and encourage conflict resolution directly between constituents and MnDOT personnel who are most knowledgeable of the issues. We believe this accounts for our decrease in cases.

Looking ahead, MnDOT's Ombudsman's office is positioned to:

- ◆ **Encourage** the Department and the Public to address conflict directly while still remaining available to help address issues unresolved through those traditional channels.
- ◆ **Serve** the Department and the Public as a practitioner of conflict resolution, maintaining the Office's neutrality, independence, and informality.
- ◆ **Share** case-related "lessons learned" to help the Department improve its conflict prevention efforts.
- ◆ **Be MnDOT's public face** of conflict resolution for Legislative and Public access.

Ombudsman Staff:

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Deputy Ombudsman

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To request this document in an alternative format, please contact MnDOT's Affirmative Action Office at 651-366-4718 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay). You also may send an email to ADArequest.dot@state.mn.us.



A Message from the Minnesota Department of Transportation Commissioner

Dear Citizens of Minnesota,

I am delighted to share with you the 2015 Ombudsman Annual Report for the Minnesota Department of Transportation (MnDOT).

Established in October 2008, the Ombudsman's office has handled over 1,000 cases over the past seven years as a neutral, informal and independent conflict resolution resource serving both the public and MnDOT personnel.

The Ombudsman's office best serves MnDOT and the citizens of Minnesota by encouraging conflict resolution between constituents and MnDOT personnel who are most knowledgeable on the issue at hand. These staff members are uniquely qualified to listen to all sides, establish the root of the dispute and provide options to move the parties involved forward with the aim of settling conflicts in a fair and timely manner.

In 2016, the Ombudsman's office will strive to continue its work as a high benefit, low cost resource to the agency and public.



Commissioner Charles A. Zelle
Minnesota Department of Transportation



Ombudsman Annual Report

January 2015 -
December 2015



Case Example

Student Safety on Highway Crossing

Issue:

A County Commissioner contacted the MnDOT Commissioner's Chief of Staff about the community's concerns with pedestrian safety near their school's campus. Highway 75 separates the school campus from many neighborhoods in the community, therefore making it challenging for students to get to school and extra-curricular activities. The community had been working with the local MnDOT District on this issue for some time, but both had different perspectives on how to address it.



Highway 75 pedestrian crossing

Action:

The Ombudsman's office met with representatives from both the MnDOT District and the community (including the county, city, and school district) to better understand their underlying interests. The Ombudsman's office heard that, though the community and MnDOT had differed on how to solve the problem, everyone shared the interest of pedestrian safety. The Ombudsman's office then facilitated a meeting in which everyone was able to share their perspectives and develop a solution together.

Resolution:

Community and MnDOT representatives developed a solution for pedestrian and motorist safety that could be used in multiple locations at any time of the day throughout the year. The group decided to install two overhead Rectangular Rapid-Flash Beacon (RRFB) systems at locations agreeable to all. The group also developed a plan to fund these systems. The Ombudsman's role in this matter was to informally fact-find, identify underlying interests of all involved, and facilitate communications.

How We Fit

Our office is a complimentary function that supports the Department's Mission and Core Values. Through engaging the public and addressing their concerns we contribute to the health of people, environment, and economy.

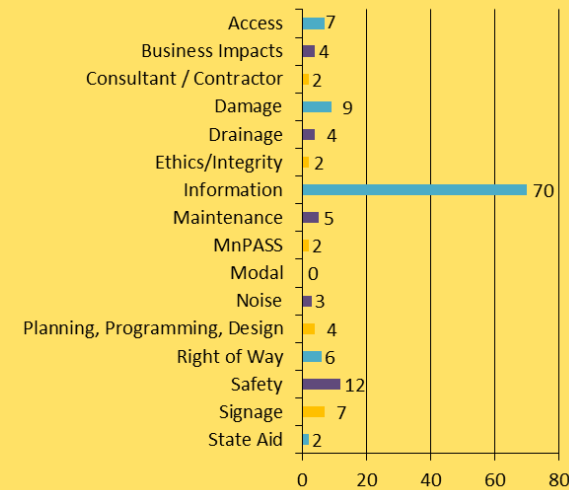
Case Statistical Data

Case Distribution by Category

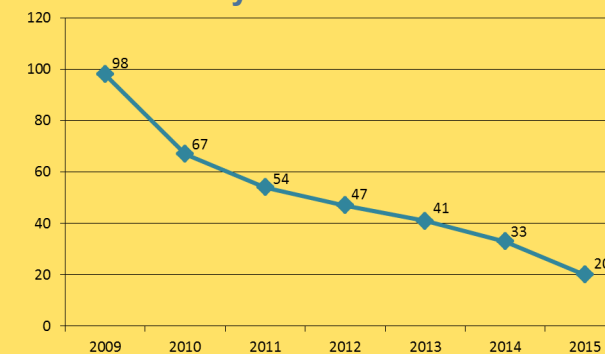
The Ombudsman handled 142 cases in 2015. This represents a 29% decrease in case load when compared to the 201 cases handled in 2014.

Cases are sorted into 16 topic categories. Excluding informational cases, **Safety** was the top 2015 case category, followed by **Damage** issues.

Safety cases in 2015 included concerns with speed limit changes, requests of bypass lanes, and rumble strip noise concerns. The damage cases involved guardrail damage, property damage from construction projects, and claim denials.



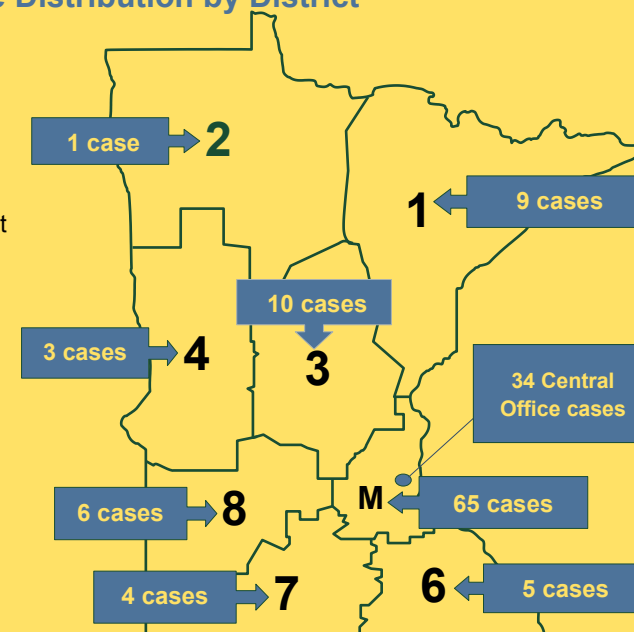
Days to Resolution



In 2015, we took a look at the number of days it takes to resolve a case. Although we focus on the quality of our work, rather than the speed of closure, this statistic points to the maturity of our office. Resolving a case took an average of 98 days in 2009 (our first full year of operation) and has decreased to 20 days in 2015.

Case Distribution by District

This map shows the case distribution throughout the state during 2015. There were also 5 statewide cases* and 34 cases out of MnDOT's headquarter office (Central Office) located in Saint Paul.



*A statewide case is an issue that is not related to a specific location. For example, a case involving a change in the requirements to place flags on bridges throughout the state.

Objectives of the Ombudsman's Office:

- To be responsive to the public.
- Provide neutral issue resolution.
- To be a resource to MnDOT staff and the State Legislature as conflict resolution practitioners.
- Increase awareness by educating MnDOT staff on systemic problems gathered from case trends.

Case Example

Repetitive Noise Irritant

Issue:

A constituent living by a bridge overpass was disturbed daily by noise caused by joint slap, the sound heard when trucks drive over the point where a road and bridge connect. The constituent had persistently complained to various government offices about the noise and felt that solutions had not been earnestly considered by MnDOT.



Bridge joint

Action:

The Ombudsman's office met the constituent at their property to hear and experience their concerns first-hand. Then the Ombudsman's office worked with MnDOT personnel who determined what joint slap mitigation actions had been used in similar situations and whether or not any mitigation actions could be taken in this circumstance.

Mitigation actions related to each contributing factor to joint slap were reviewed by MnDOT at the location disturbing the constituent. The Ombudsman's office recorded the bridge joint inspection conducted by district staff along with the district's comments related to mitigation options. The Ombudsman's office shared relevant inspection photos with the constituent along with the district's rationale for not taking additional action beyond standard maintenance.

Resolution:

Although nothing physically changed in this area, the constituent was satisfied with the result. MnDOT had been in contact with this constituent previously, but having the Ombudsman's office involved and showing proof that the concern was taken seriously was the piece of mind that constituent needed. In situations like these, the constituent is needing to feel heard and have proof that someone is genuinely listening to their concern.

*Resolution Required cases are defined as cases that require more action by an Ombud case worker than just a referral.
*Information cases are defined as cases referred to the Customer Relations Office or directly to a District without any additional research.